

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA

YAMINI SHARMA

vs.

ZACHARY SHERY

NO. 2016-27162

CIVIL COVER SHEET

State Rule 205.5 requires this form be attached to any document commencing an action in the Montgomery County Court of Common Pleas. The information provided herein is used solely as an aid in tracking cases in the court system. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

Name of Plaintiff/Appellant's Attorney: YAMINI SHARMA, Pro Se

Self-Represented (Pro Se) Litigant ☐

Class Action Suit ☐ Yes ☒ No

MDJ Appeal ☐ Yes ☒ No

Money Damages Requested ☒

Commencement of Action:

Amount in Controversy:

Complaint

More than \$50,000

Case Type and Code

Tort: _____

Motor Vehicle

Other: _____

Andrew R. Spiegel, Esquire
Two Bala Plaza, Suite PL-14
333 E. City Avenue
Bala Cynwyd, PA 19004
610-668-8600
Identification No: 55617

Counsel for Plaintiff

IN THE COURT OF COMMON PLEAS, MONTGOMERY COUNTY, PENNSYLVANIA

Yamini Sharma and Neil Sharma, h/w :
9876 Cameron Parc Circle :
Alpharetta, GA 30022 :
and :
Umayya Sharma :
9876 Cameron Parc Circle :
Alpharetta, GA 30022 :
vs. :
Zachary Shery :
9 Aspen Circle :
Edison, New Jersey 08820 :

Civil Action No.:

CIVIL ACTION
NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against the claims set forth in the following pages you must take action within twenty (20) days after this complaint and notice are served by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE GO TO OR TELEPHONE THE OFFICES SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer Reference Service
Montgomery Bar Association
100 West Airy Street (REAR)
Norristown, PA 19401
(610) 279-9660, Extension 201

Case# 2016-27162-0 Docketed at Montgomery County Prothonotary on 11/14/2016 11:58 AM, Fee = \$270.00

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vs.	:	
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9 Aspen Circle	:	
Edison, New Jersey 08820	:	

COMPLAINT
CIVIL ACTION LAW - MOTOR VEHICLE ACCIDENT

1. The Plaintiffs, Yamini and Neil Sharma, h/w, are an adults individual residing at 9876 Cameron Parc Circle, Alpharetta, GA 30022
2. The Plaintiff, Umayya Sharma, is an adult individual residing at 9876 Cameron Parc Circle, Alpharetta, GA 30022.
3. The Defendant, Zachary Shery is an adult individual residing at 9 Aspen Circle, Edison, New Jersey 08820.
4. On or about November 24, 2014, the Plaintiff, Yamini Sharma was the owner and operator of a 2014 Mercedes-Benz, bearing PA Tag No. JRN1882, traveling southbound on Glenn Road at or near it's intersection with Montgomery Avenue in Ardmore, Pennsylvania. Umayya Sharma was a passenger in said vehicle.
5. On or about the aforesaid date and time, the Defendant Zachary Shery was the owner and operator of a 2006 Subaru bearing NJ Tag No. YWD95D, traveling eastbound on Montgomery Avenue at or near it's intersection with Glenn Road in Ardmore, Pennsylvania, and ran through a steady red traffic signal striking Ms. Sharma's motor vehicle in the rear.

6. On or about the aforesaid date, the Defendant, Zachary Shery did operate his said vehicle in such a negligent, careless, reckless, willful, and wanton manner, that he caused his vehicle to come into contact and collision with the vehicle then and there being operated by the Plaintiff, Yamini Sharma thereby causing the Plaintiffs, Yamini Sharma and Umayya Sharma serious and permanent injuries and damages, hereinafter more fully set forth at length.

COUNT ONE
PLAINTIFF, YAMINI SHARMA VS. DEFENDANT, ZACHARY SHERY

7. The Plaintiff, Yamini Sharma, hereby incorporates by reference each and every allegation contained in paragraphs 1 through 6 inclusive of the foregoing Complaint, as if the same were set forth fully at length herein.

8. The collision was caused by the carelessness, recklessness and negligence of the Defendant, Zachary Shery acting as aforesaid, in that he:

- (a) Failed to have his vehicle under proper and adequate control at the time of the occurrence;
- (b) Operated his vehicle at a high and excessive rate of speed under the circumstances;
- (c) Failed to give proper and sufficient warning of the approach of said vehicle;
- (d) Failed to properly and adequately apply the brakes to avoid said collision;
- (e) Disregarded traffic signs and/or signals lawfully posted on the highway;
- (f) Failed to keep a proper lookout for other vehicles lawfully upon the highway;
- (g) Operated said vehicle in violation of the "rules of the road" and without regard for the right, safety and position of the Plaintiff;
- (h) Operated said vehicle in such a manner that it could not be brought to a stop within the assured clear distance ahead;
- (i) Violated the various Ordinances of Montgomery County and the Statutes of the Commonwealth of Pennsylvania pertaining to the operation of motor vehicles;
- (j) Otherwise acted negligently, carelessly, recklessly, willfully and wantonly at law;
- (k) Commit such other acts of negligence as may be disclosed through discovery and the course of the trial.

9. Solely as a result of the negligence and carelessness of the Defendant, Zachary Shery, the Plaintiff Yamini Sharma sustained acute cervical strain; cervical radiculopathy; mononeuritis; left ulnar neuropathy and persistent numbness in the left ulnar distribution; numbness, pain and weakness left arm, headaches, sleep anxiety, C5-6 posterior disc bulge effacing the ventral subarachnoid space and bilateral uncinat hypertrophy without consequence; C6-7 Uncinate hypertrophy causing mild to moderate left neuroforaminal stenosis, a severe shock to her nerves and nervous system and other severe injuries in, on and about the person of the Plaintiff, causing the Plaintiff Yamini Sharma to endure pain and suffering, all of which injuries are or may be serious and permanent.

10. As a result of said occurrence, the Plaintiff, Yamini Sharma has been or will be obliged to receive and undergo medical attention and care and to expend various sums of money and/or incur various expenses, which expenses have or may exceed the sum recoverable under the limits in 75 P.S. §1711 and she may be obliged to continue to expend such sums and/or incur such expenditures for an indefinite time in the future.

11. As a further result of said occurrence, the Plaintiff, Yamini Sharma has suffered a severe loss of her earnings and an impairment of her earning capacity and power which such loss of income and/or impairment of her earning capacity or power has or may exceed the sum recoverable under the limits in 75 P.S. §1711.

12. Further, as a result of the negligence and carelessness of the Defendant, Zachary Shery acting as aforesaid, the Plaintiff, Yamini Sharma has been unable to attend to her usual duties and occupations, and will be unable to attend to same for an indefinite time in the future, all to her great financial detriment and loss.

13. As a further result of said occurrence, the Plaintiff, Yamini Sharma has suffered severe physical pain, mental anguish and humiliation and she may continue to suffer the same for an indefinite time in the future.

14. Further, Plaintiff, Yamini Sharma is covered by the full tort option and is eligible within the meaning of 75 P.S. § 1705 to seek compensation for non-economic losses sustained in the aforesaid motor vehicle accident, as a consequence of the fault of the Defendant, Zachary Shery.

COUNT TWO
PLAINTIFF, UMayA SHARMA VS. ZACHARY SHERY

15. The Plaintiff, UmayA Sharma, hereby incorporates by reference each and every allegation contained in paragraphs 1 through 14 inclusive of the foregoing Complaint, as if the same were set forth fully at length herein.

16. The collision was caused by the carelessness, recklessness and negligence of the Defendant, Zachary Shery acting as aforesaid, in that he:

- (a) Failed to have his vehicle under proper and adequate control at the time of the occurrence;
- (b) Operated his vehicle at a high and excessive rate of speed under the circumstances;
- (c) Failed to give proper and sufficient warning of the approach of said vehicle;
- (d) Failed to properly and adequately apply the brakes to avoid said collision;
- (e) Disregarded traffic signs and/or signals lawfully posted on the highway;
- (f) Failed to keep a proper lookout for other vehicles lawfully upon the highway;
- (g) Operated said vehicle in violation of the "rules of the road" and without regard for the right, safety and position of the Plaintiff;
- (h) Operated said vehicle in such a manner that it could not be brought to a stop within the assured clear distance ahead;
- (i) Violated the various Ordinances of Montgomery County and the Statutes of the Commonwealth of Pennsylvania pertaining to the operation of motor vehicles;
- (j) Otherwise acted negligently, carelessly, recklessly, willfully and wantonly at law;
- (k) Commit such other acts of negligence as may be disclosed through discovery and the course of the trial.

17. Solely as a result of the negligence and carelessness of the Defendant, Zachary Shery, the Plaintiff UmayA Sharma sustained severe ongoing debilitating headaches, migraines, nausea, sensitivity to light, Post Traumatic Stress Disorder, a severe shock to her nerves and nervous system and other severe injuries in, on and about the person of the Plaintiff, causing the Plaintiff, UmayA Sharma to endure pain and suffering, all of which injuries are or may be serious and permanent.

18. As a result of said occurrence, the Plaintiff, Umayya Sharma has been or will be obliged to receive and undergo medical attention and care and to expend various sums of money and/or incur various expenses, which expenses have or may exceed the sum recoverable under the limits in 75 P.S. §1711 and she may be obliged to continue to expend such sums and/or incur such expenditures for an indefinite time in the future.

19. As a further result of said occurrence, the Plaintiff, Umayya Sharma has suffered a severe loss of her earnings and an impairment of her earning capacity and power which such loss of income and/or impairment of her earning capacity or power has or may exceed the sum recoverable under the limits in 75 P.S. §1711.

20. Further, as a result of the negligence and carelessness of the Defendant, Zachary Shery acting as aforesaid, the Plaintiff, Umayya Sharma has been unable to attend to her usual duties and occupations, and will be unable to attend to same for an indefinite time in the future, all to her great financial detriment and loss.

21. As a further result of said occurrence, the Plaintiff, Umayya Sharma has suffered severe physical pain, mental anguish and humiliation and she may continue to suffer the same for an indefinite time in the future.

22. Further, Plaintiff, Umayya Sharma is covered by the full tort option and is eligible within the meaning of 75 P.S. § 1705 to seek compensation for non-economic losses sustained in the aforesaid motor vehicle accident, as a consequence of the fault of the Defendant, Zachary Shery.

COUNT THREE
PLAINTIFF, NEIL SHARMA VS. DEFENDANT ZACHARY SHERY

23. The Plaintiff, Neil Sharma, hereby incorporates by reference each and every allegation contained in Paragraphs 1 through 22 inclusive of the foregoing Complaint, as if the same were set forth fully at length herein.

24. As a result of the aforesaid occurrence, the Husband-Plaintiff, Neil Sharma has been and may in the future be forced to expend large and various sums of money for medical services, x-rays, hospitalizations and other various expenses all in an effort to treat and cure his wife, Plaintiff Yamini Sharma of the injuries she sustained in the aforesaid accident.

25. Further, as a result of the injuries to the Wife-Plaintiff Yamini Sharma, the Husband-Plaintiff, Neil Sharma has been deprived of the aid, assistance, society and consortium of his wife during the period of her disability and such deprivation of the aid, assistance, society and consortium of his wife may continue for an indefinite time in the future.

WHEREFORE, Plaintiffs, Yamini and Neil Sharma, h/w and Umaya Sharma, demand judgment against the Defendant, Zachary Shery, upon all Counts as aforesaid in an amount in excess of Fifty Thousand (\$50,000.00) Dollars.

/s/ Andrew R. Spiegel
ANDREW R. SPIEGEL, ESQUIRE
Counsel for Plaintiff

VERIFICATION

I hereby verify that I am the Plaintiff in the within action and that the facts set forth in the forgoing Civil Action Complaint are true and correct to the best of my knowledge, information and belief; and that the foregoing Verification is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

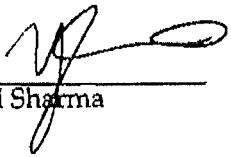
X 

Neil Sharma

FILED IN CASE NO. 2:16-cv-06409-WB, U.S. District Court for the Eastern District of Pennsylvania, at Philadelphia, Pennsylvania, on 11/14/2016 11:58 AM, Fee = \$270.00

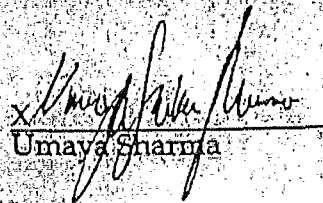
VERIFICATION

I hereby verify that I am the Plaintiff in the within action and that the facts set forth in the forgoing Civil Action Complaint are true and correct to the best of my knowledge, information and belief; and that the foregoing Verification is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

X 
Yamini Sharma

VERIFICATION

I hereby verify that I am the Plaintiff in the within action and that the facts set forth in the forgoing Civil Action Complaint are true and correct to the best of my knowledge, information and belief, and that the foregoing Verification is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

x 
Umayya Sharma